

DETAILED ACTION

This is the first Office action on the merits of Application No. 10/578,518 filed on May 8, 2006. Claims 8-14 are currently pending.

Priority

If applicant desires to claim the benefit of a prior-filed application under 35 U.S.C. 365(c), a specific reference to the prior-filed application in compliance with 37 CFR 1.78(a) must be included in the first sentence(s) of the specification following the title or in an application data sheet. For benefit claims under 35 U.S.C. 120, 121 or 365(c), the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of the applications.

If the instant application is a utility or plant application filed under 35 U.S.C. 111(a) on or after November 29, 2000, the specific reference must be submitted during the pendency of the application and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior application. If the application is a utility or plant application which entered the national stage from an international application filed on or after November 29, 2000, after compliance with 35 U.S.C. 371, the specific reference must be submitted during the pendency of the application and within the later of four months from the date on which the national stage commenced under 35 U.S.C. 371(b) or (f) or sixteen months from the filing date of the prior application. See 37 CFR 1.78(a)(2)(ii) and (a)(5)(ii). This time period is not

extendable and a failure to submit the reference required by 35 U.S.C. 119(e) and/or 120, where applicable, within this time period is considered a waiver of any benefit of such prior application(s) under 35 U.S.C. 119(e), 120, 121 and 365(c). A benefit claim filed after the required time period may be accepted if it is accompanied by a grantable petition to accept an unintentionally delayed benefit claim under 35 U.S.C. 119(e), 120, 121 and 365(c). The petition must be accompanied by (1) the reference required by 35 U.S.C. 120 or 119(e) and 37 CFR 1.78(a)(2) or (a)(5) to the prior application (unless previously submitted), (2) a surcharge under 37 CFR 1.17(t), and (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2) or (a)(5) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional. The petition should be addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If the reference to the prior application was previously submitted within the time period set forth in 37 CFR 1.78(a), but not in the first sentence(s) of the specification or an application data sheet (ADS) as required by 37 CFR 1.78(a) (e.g., if the reference was submitted in an oath or declaration or the application transmittal letter), and the information concerning the benefit claim was recognized by the Office as shown by its inclusion on the first filing receipt, the petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) are not required. Applicant is still required to submit the reference in compliance with 37 CFR 1.78(a) by filing an amendment to the first sentence(s) of the specification or an ADS. See MPEP § 201.11.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on May 8, 2006 has been considered by the examiner.

Specification

The disclosure is objected to because of the following informalities:

in line 21 on page 5 "fongers" should read -- fingers --; and

in line 24 on page 5 "cap 34" should read -- cap 38 --.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 8-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Line 6 of claim 8 is believed to be incorrect regarding the member on which the ledge is formed. Assuming that the member 10 in Figure 1 is the driving member, the ledge 10b is on the driving member, rather than the driven member as claimed.

In line 10 of claim 8 the meaning of the phrase "in contrast to" is not entirely clear. It is believed that "contrast" should be changed to -- opposition --.

Claim 12 recites the limitations "said opposite, diametrical ends" and "the side walls of the slot" in lines 3-4. There is insufficient antecedent basis for these limitations in the claim.

Claim 14 recites the limitation "the cup" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 8-10 as best understood are rejected under 35 U.S.C. 102(b) as being anticipated by JP 61-96222 A (Matsunaga).

Matsunaga discloses a friction clutch (1) including a driving member (17), a driven member (10), a pack of clutch plates (12, 13), a pressure member (25), elastic means (26), a floating member (18) and driving means (22). In the embodiment shown in Figures 4a and 4b, the driving means comprise rollers (20') which engage the inclines (21a).

Claims 8-10 and 14 as best understood are rejected under 35 U.S.C. 102(b) as being anticipated by WO 98/40638 A1 (Crowe).

Crowe discloses a friction clutch (10) including a driving member (30), a driven member (12), a pack of clutch plates (17, 18), a pressure member (16), elastic means

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comprising a spider spring (15), a floating member (50) and driving means which, in the embodiment shown in Figures 4-6 comprise rollers (170) which engage the inclines (1430R, 153A). Also note the retaining means (61) as in claim 14.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 61-96222 A (Matsunaga) in view of DE 8518371 U.

Matsunaga does not show the rollers supported on a pin as in claim 11 or the diametrical ends engaged in holes made in side walls of a slot as in claim 12.

DE 8518371 U discloses a clutch device in Figure 1 including rollers (17) supported on a pin (13) engaged in holes made in side walls of a slot (19). It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the rollers mounted on a pin as shown in DE '371 for the rollers shown in Matsunaga since the result would have been predictable.

Regarding claim 13, the application of a wearproof material to the roller contacting surfaces in Matsunaga would have been obvious to one having ordinary skill in the art at the time the invention was made, since the result would have been

predictable, i.e. the useful life of the clutch would be increased since wear would be minimized.

Claims 8-14 rejected under 35 U.S.C. 103(a) as being unpatentable over WO 98/40638 A1 (Crowe) in view of DE 8518371 U1.

Crowe does not show the rollers supported on a pin as in claim 11 or the diametrical ends engaged in holes made in side walls of a slot as in claim 12.

DE 8518371 U discloses a clutch device in Figure 1 including rollers (17) supported on a pin (13) engaged in holes made in side walls of a slot (19). It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the rollers mounted on a pin as shown in DE '371 for the rollers shown in Crowe since the result would have been predictable.

Regarding claim 13, the application of a wearproof material to the roller contacting surfaces in Crowe would have been obvious to one having ordinary skill in the art at the time the invention was made, since the result would have been predictable, i.e. the useful life of the clutch would be increased since wear would be minimized.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 5,617,938 A (Tsukada et al.) and JP 61-294220 A (Kamiya) each disclose friction clutches which limit back torque.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard M. Lorence whose telephone number is (571) 272-7094. The examiner can normally be reached on Mondays through Fridays from 10:30AM to 7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Richard M. Lorence/
Primary Examiner, Art Unit 3681